## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

PAULINE M. BAILEY, Administrator of the Estate of Wesley Sherwood, Jr.,

: No. 3:13cv3006

: (Judge Munley)

Plaintiff

٧.

B.S. QUARRIES, INC.; DAMASCUS 535
QUARRY AND STONE PRODUCTS, LLC.;
TNT ONE LIMITED PARTNERSHIP;
LIPPMANN MILWAUKEE, INC.; LIPPMANN
QUALITY USED EQUIPMENT; VIRA
CORPORATION; TIMOTHY SMITH; and/or
THOMAS BOLLES,

**Defendants** 

## <u>ORDER</u>

**AND NOW**, to wit, this 16th day of June 2016, the plaintiff's motion in limine (Doc. 191) is **GRANTED** in part and **DENIED** in part, as follows:

- 1. The court will apply Pennsylvania state law regarding punitive damages;
- 2. All expert compensation the parties' experts received in this case, and the total fees the experts received over the past three years for other cases, are admissible at trial;
  - 3. The parties are precluded from presenting any evidence:
    - i. concerning indemnity and/or contribution;
    - ii. referencing plaintiff's retaining a jury consultant,

participating in a mock jury prior to trial, and/or plaintiff's counsel's "advertisements";

- iii. referencing insurance benefits paid to plaintiff;
- iv. referencing settlement negotiations; and
- v. referring to or identifying to the jury any non-party family members of the decedent.
- 5. The motion is **DENIED** in all other respects.

BY THE COURT:

s/ James Munley
JUDGE JAMES M. MUNLEY
United States District Court